fits, including any regional pay differential, paid to such employee, by reason of such employment, as of such date.

(Ž) EMPLOYEES SERVING IN ACTING OR TEM-PORARY CAPACITY.—Notwithstanding paragraph (1), in the case of any employee described in such paragraph who, as of the date of the enactment of the Resolution Trust Corporation Completion Act, is serving in an acting capacity or is otherwise temporarily employed at a higher grade than such employee's regular grade or position of employ-

ment-

(A) the annual rate of basic pay and benefits, including any regional pay differential, payable to such employee in such capacity or at such higher grade shall not be reduced by reason of the applicability of paragraph (7) or (8) of section 6(a) of the Inspector General Act of 1978 so long as such employee continues to serve in such capacity or at such higher grade; and

(B) after such employee ceases to serve in such capacity or at such higher grade, paragraph (1) shall be applied with respect to such employee by taking into account only the annual rate basic pay and benefits, including any regional pay differential, payable to such employee's regular grade or position of employment.

(c) TECHNICAL AND CONFORMING AMEND-MENTS.-

(1) Section 8E(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking "the Federal Deposit Insurance Corporation,

(2) Section 5315 of title 5, United States Code, is amended by adding at the end the following new item:

"Inspector General, Federal Deposit Insurance Corporation.".

## SEC. 24. DEPUTY CHIEF EXECUTIVE OFFICER.

Section 21A(b)(8) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(8)) is amended by adding at the end the following new subparagraphs:

'(E) DEPUTY CHIEF EXECUTIVE OFFICER.-

"(i) IN GENERAL.—There is hereby established the position of deputy chief executive officer of the Corporation.

'(ii) APPOINTMENT.—The deputy chief executive officer of the Corporation shall-

'(I) be appointed by the Chairperson of the Thrift Depositor Protection Oversight Board, with the recommendation of the chief executive officer; and

"(II) be an employee of the Federal Deposit Insurance Corporation in accordance with subparagraph (B)(i) of this paragraph.

"(iii) DUTIES.—The deputy chief executive officer shall perform such duties as the chief

executive officer may require.

'(F) ACTING CHIEF EXECUTIVE OFFICER.—In the event of a vacancy in the position of chief executive officer or during the absence or disability of the chief executive officer, the deputy chief executive officer shall perform the duties of the position as the acting chief executive officer.'

### SEC. 25. DUE PROCESS PROTECTIONS RELATING TO ATTACHMENT OF ASSETS.

Section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818) is amended-

(1) by striking subsection (i)(4)(B) and inserting the following new subparagraph:

'(B) STANDARD -

"(i) SHOWING.—Rule 65 of the Federal Rules of Civil Procedure shall apply with respect to any proceeding under subparagraph (A) without regard to the requirement of such rule that the applicant show that the injury, loss, or damage is irreparable and immediate.

"(ii) STATE PROCEEDING.—If, in the case of any proceeding in a State court, the court determines that rules of civil procedure available under the laws of such State provide substantially similar protections to such party's right to due process as Rule 65

(as modified with respect to such proceeding by clause (i)), the relief sought under subparagraph (A) may be requested under the laws of such State.'';and

(2) in subsection (b), by adding the following new paragraph:

(9) STANDARD FOR CERTAIN ORDERS.—No authority under this subsection or subsection (c) to prohibit any institution-affiliated party from withdrawing, transferring, removing, dissipating, or disposing of any funds, assets, or other property may be exercised unless the agency meets the standards of Rule 65 of the Federal Rules of Civil Procedure without regard to the requirement of such rule that the applicant show that the injury, loss, or damage is irreparable and immediate.

#### SEC. 26. GAO STUDIES REGARDING FEDERAL REAL PROPERTY DISPOSITION.

(a) RTC AFFORDABLE HOUSING PROGRAM.-The Comptroller General of the United States shall conduct a study of the program carried out by the Resolution Trust Corporation pursuant to section 21A(c) of the Federal Ĥome Loan Bank Act to determine the effectiveness of such program in providing affordable homeownership and rental housing for very low-, low-, and moderate-income families. The study shall examine the procedures used under the program to sell eligible single family properties, eligible condominium properties, and eligible multifamily housing properties, the characteristics and numbers of purchasers of such properties, and the amount of and reasons for any losses incurred by the Resolution Trust Corporation in selling properties under the program. Not later than the expiration of the 6-month period beginning on the date of the enactment of this Act, the Comptroller General shall submit a report to the Congress on the results of the study under this subsection, which shall describe any findings under the study and contain any recommendations of the Comptroller General for improving the effectiveness of such program.

(b) SINGLE AGENCY FOR REAL PROPERTY DISPOSITION.—The Comptroller General of the United States shall conduct a study to determine the feasibility and effectiveness of establishing a single Federal agency responsible for selling and otherwise disposing of real property owned or held by the Department of Housing and Urban Development. the Farmers Home Administration of the Department of Agriculture, the Federal Deposit Insurance Corporation, and the Resolution Trust Corporation. The study shall examine the real property disposition procedures of such agencies and corporations, analyze the feasibility of consolidating such procedures through such single agency, and determine the characteristics and authority necessary for any such single agency to efficiently carry out such disposition activities. Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Comptroller General shall submit a report to the Congress on the study under this subsection, which shall describe any findings under the study and contain any recommendations of the Comptroller General for the establishment of such single agency.

#### SEC. 27. EXTENSION OF RTC POWER TO BE AP-POINTED AS CONSERVATOR OR RE-CEIVER.

Section 21A(b)(3)(A)(ii) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(3)(A)(ii)) is amended by striking "October 1, 1993" and inserting "April 1,

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. McCOLLUM moved to recommit the bill to the Committee on Banking,

Finance and Urban Affairs with instructions to report back the same forthwith with the following amendments:

Strike section 2.

Strike so much of section 3(a) as would include paragraph (15)-(17) in the new subsection (w) of section 21A of the FHLBA. Strike section 4(a).

In section 5, add the following new subparagraph at the end of section 21 of the FHLBA:

(z) REGIONAL PAY DIFFERENTIAL.—Notwithstanding any other provision of this Act, any locality based comparability payment or any other form of regional pay differential extended to any employee of the Thrift Depositor Protection Oversight Board or any employee assigned to the Corporation under subsection (b)(8) shall be made in conformity with standards for executive agencies under title 5 of the United States Code.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce, Will the House recommit said bill

with instructions? The SPEAKER pro tempore, Mr. TORRES, announced that the nays had

Mr. McCOLLUM demanded a recorded vote on agreeing to the motion to recommit with instructions, which demand was supported by one-fifth of a quorum, so a recorded vote was or-

The vote was taken by electronic de-

180 Yeas ...... It was decided in the Nays ..... 242 negative ..... Answered present

¶101.9[Roll No. 433] AYES-180

Diaz-Balart Allard Hutto Andrews (TX) Dickey Doolittle Inglis Inhofe Applegate Dornan Istook Armey Johnson, Sam Dreier Bachus (AL) Duncan Kaptur Baesler Baker (CA) Dunn Kasich Emerson Kim Ballenger Everett Kingston Barrett (NE) Ewing Fawell Klug Knollenberg Bartlett. Barton Fields (TX) Kyl Bateman Fish Lambert Bentley Fowler Lancaster Bereuter Franks (CT) Levy Bilirakis Franks (NJ) Lewis (CA) Lewis (FL) Bliley Gallegly Lightfoot Gallo Gekas Linder Boehner Gilchrest Livingston Bonilla Bunning Gillmor Manzullo Gilman Gingrich Burton McCandless Buyer McCollum Goodlatte McCrery Callahan Calvert ¶Goodling McDade McHugh Goss Camp Canady McInnis Grams Grandy McKeon Carr Castle Greenwood McMillan Chapman Gunderson Meyers Clement Hancock Mica Michel Hansen Clinger Hastert Miller (FL) Coble Collins (GA) Hefley Mineta Molinari Combest Herger Condit Hilliard Moorhead Costello Hobson Myers Nussle Hoekstra Crane Oxley Hoke Crapo Cunningham Packard Horn Hunter Paxon Deal DeLav Hutchinson Penny

Boehlert

Bonior

Boucher

Brooks

Browder

Bryant

Byrne

Cardin

Clayton

Clyburn

Coleman

Cooper

Coyne Cramer

Danner

Darden

DeFazio

DeLauro

Dellums

Derrick

Deutsch

Dicks

Dingell

Dixon

Dooley

Durbin

Engel

Eshoo

Evans

Fazio

Filner

Flake

Frost

Furse

Geren

Gibbons Glickman

Gonzalez

Gutierrez

Gordon

Green

Foglietta

Ford (MI)

Ford (TN)

Gejdenson Gephardt

Frank (MA)

Minge

Moakley

Mollohan

Morella

Murphy

Murtha

Nadler Natcher

Neal (MA)

Neal (NC)

Oberstar

Montgomery

Mink

Clay

# HOUSE OF REPRESENTATIVES

1993		
Peterson (MN) Pombo Porter Portman Poshard Pryce (OH) Quillen Quinn Rahall Ramstad Ravenel Regula Ridge Roberts Roberts Rogers Rohrabacher Ros-Lehtinen Roth	Royce Santorum Saxton Schaefer Schiff Sensenbrenner Shaw Shuster Skeen Smith (MI) Smith (OR) Smith (TX) Snowe Solomon Spence Stearns Stump	Sundquist Talent Tauzin Taylor (MS) Taylor (NC) Thomas (CA) Thomas (CY) Torkildsen Upton Vucanovich Walker Walsh Weldon Williams Wolf Young (FL) Zeliff Zimmer
	NOES—242	
Abercrombie Ackerman Andrews (ME) Andrews (NJ) Bacchus (FL) Baker (LA) Barca Barcia Barlow Barrett (WI) Becerra Beilenson Berman Bevill Bilbray	Hall (OH) Hall (TX) Hamburg Hamilton Harman Hastings Hayes Hefner Hinchey Hoagland Hochbrueckner Holden Houghton Hoyer Hughes	Olver Ortiz Orton Owens Pallone Parker Pastor Payne (NJ) Payne (VA) Pelosi Peterson (FL) Petri Pickett Pickle
Andrews (NJ) Bacchus (FL) Baker (LA) Barca Barcia Barlow Barrett (WI) Becerra Beilenson Berman Bevill	Hamilton Harman Hastings Hayes Hefner Hinchey Hoagland Hochbrueckner Holden Houghton Hoyer	Owens Pallone Parker Pastor Payne (NJ) Payne (VA) Pelosi Peterson (F Petri Pickett

(FL) Price (NC) Blackwell Jacobs Rangel Jefferson Johnson (CT) Reed Reynolds Johnson (GA) Richardson Brewster Johnson (SD) Johnson, E. B. Roemer Johnston Rose Rostenkowski Brown (FL) Kaniorski Brown (OH) Kennedy Roukema Kennelly Rowland Kildee Roybal-Allard Cantwell King Rush Kleczka Sabo Klein Sanders Sangmeister Sarpalius Kolbe Kopetski Sawyer Collins (IL) Kreidler Schenk Collins (MI) LaFalce Schroeder Lantos Schumer Coppersmith LaRocco Scott Laughlin Serrano Lazio Sharp Leach Shays Levin ¶Shepherd de la Garza Lewis (GA) Sisisky Lloyd Skaggs Long Skelton Lowey Slattery Machtley Slaughter Maloney Smith (IA) Mann Manton Spratt Margolies-Stark Mezvinsky Stenholm Markey Martinez Stokes Edwards (CA) Strickland Edwards (TX) Matsui Studds Mazzoli Stupak English (AZ) McCloskey Swett English (OK) McCurdy Swift McDermott Synar McHale Tanner McKinney Tejeda McNulty Thompson Fields (LA) Meehan Thornton Meek Thurman Fingerhut Menendez Mfume

Torricelli

Traficant

Tucker

Unsoeld

Valentine

Velazquez

Visclosky

Washington

Furse

Gejdenson

Volkmer

Waters

Waxman

Wheat

Watt

Vento

Wyden Yates Young (AK) Woolsey Wynn ANSWERED "PRESENT"-1 Hvde NOT VOTING-10 Borski Huffington Brown (CA) Lehman Wilson Lipinski Convers Miller (CA)

So the motion to recommit with instructions was not agreed to. The question being put, viva voce, Will the House pass said bill?

The SPEAKER pro tempore, Mr. TORRES, announced that the yeas had

Mr. McCOLLUM demanded a recorded vote on passage of the bill, which demand was supported by onefifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic de-

Yeas ...... It was decided in the Nays ..... 208 affirmative ..... Answered present

¶101.10 [Roll No. 434] AYES-214

Abercrombie Geren Meek Ackerman Gibbons Mfume Andrews (ME) Gilchrest Michel Glickman Bacchus (FL) Mineta Minge Baker (LA) Gonzalez Barlow Grandy Mink Barrett (NE) Moakley Green Gutierrez Hall (OH) Barrett (WI) Mollohan Montgomery Becerra Beilenson Hall (TX) Moran Bereuter Hamburg Morella Hamilton Murphy Berman Bilbray Bishop Blackwell Hastings Natcher Neal (MA) Hayes Boehlert Hinchey Neal (NC) Bonior Hoagland Oberstar Hochbrueckner Boucher Obey Brooks Brown (FL) Houghton Olver Hoyer Inslee Ortiz Brown (OH) Orton Bryant Jacobs Parker Byrne Jefferson Pastor Cantwell Johnson (CT) Payne (NJ) Johnson (SD) Johnson, E. B. Cardin Payne (VA) Clay Pelosi Clayton Johnston Peterson (FL) Clyburn Kanjorski Petri Pickett Coleman Kennedy Collins (IL) Kennelly Pickle Collins (MI) King Kleczka Porter Price (NC) Coppersmith Coyne Klein Rangel Danner Klink Reed de la Garza Kopetski Reynolds Dellums Kreidler Richardson Derrick LaFalce Roemer Deutsch Lancaster Rose Dicks Lantos Rostenkowski Dingell LaRocco Roukema Laughlin Rowland Dixon Dooley Roybal-Allard Lazio Durbin Leach Rush Edwards (CA) Levin Sabo Sangmeister Sarpalius Edwards (TX) Levy Lightfoot English (AZ) Eshoo Maloney Sawyer Farr Fawell Mann Schenk Manton Schumer Fazio Margolies Scott Fields (LA) Mezvinsky Serrano Markey Shays Fingerhut Martinez Shepherd Foglietta Matsui McCloskey Sisisky Ford (MI) Skaggs Ford (TN) McCurdy Skelton Fowler Frank (MA) McDade McDermott Slattery Smith (IA) McHale Frost Spratt

Strickland Studds Stupak Swett Swift Tejeda Thornton Thurman Torres Tucker

Unsoeld Valentine Velazquez Vento Volkmer Washington Waters Watt Waxman Wheat

Whitten Wilson Wise Woolsey Wyden Wynn Young (AK)

NOES-208

Gallegly Oxley Packard Allard Andrews (NJ) Gallo Andrews (TX) Gekas Pallone Applegate Archer Gillmor Paxon Gilman Penny Armey Gingrich Peterson (MN) Bachus (AL) Goodlatte Pombo Pomeroy Baesler Goodling Baker (CA) Goss Portman Ballenger Grams Poshard Barca Greenwood Pryce (OH) Barcia Gunderson Bartlett Hancock Barton Hansen Bateman Hastert Hefley Bentley Hefner Herger Hilliard Bilirakis Bliley Blute Hobson Boehner Hoekstra Bonilla Hoke Brewster Holden Browder Horn Hughes Bunning Burton Hutchinson Buver Hutto Callahan Inglis Calvert Inhofe Camp Istook Canady Johnson (GA) Carr Castle Johnson, Sam Kaptur Kasich Chapman Clement Kildee Clinger Kim Coble Kingston Collins (GA) Klug Knollenberg Combest Kolbe Condit Cooper Kyl Lambert Costello Lewis (CA) Cox Cramer Lewis (FL) Lewis (GA) Crane Linder Crapo Cunningham Livingston Lloyd Darden Deal Long DeFazio Lowey Machtley DeLauro DeLay Diaz-Balart Manzullo Mazzoli McCandless Dickey Doolittle McCollum Dornan McCrery McHugh Dreier Duncan McInnis Dunn McKeon McNulty Emerson Engel English (OK) Menendez Mevers Evans Miller (FI.) Everett Ewing Fields (TX) Molinari

Quillen Quinn Řahall Ramstad Ravenel Regula Ridge Roberts Rogers Rohrabacher Ros-Lehtinen Roth Royce Sanders Santorum Saxton Schaefer Schiff Schroeder Sensenbrenner Sharp Shaw Shuster Skeen Slaughter Smith (MI) Smith (NJ) Smith (OR) Smith (TX) Snowe Solomon Spence Stearns Stump Sundquist Synar Talent Tanner Tauzin Taylor (MS) Taylor (NC) Thomas (CA) Thomas (WY) Thompson Torkildsen Torricelli Traficant Upton Visclosky Vucanovich Walker Walsh Weldon Wolf

Young (FL)

Zeliff

Zimmer

ANSWERED "PRESENT"-1

Hyde

Filner

Franks (CT)

Franks (NJ)

Fish

NOT VOTING-10

Huffington Borski Miller (CA) Brown (CA) Hunter Towns Lehman Convers Lipinski

Moorhead

Myers

Nadler

Nussle

Owens

So the bill was passed.

By unanimous consent, the title of the bill was amended so as to read: "An Act to provide for the remaining funds needed to assure that the United States fulfills its obligation for the protection of depositors at savings and

Stark

Stokes

Stenholm

McKinney

McMillan

Meehan